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10/593,724	09/21/2006	Hideaki Yajima	2006_1206A	2852
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EXAMINER				
LEE, JINHEE J				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/593,724

Applicant(s)

YAJIMA ET AL.

Examiner

Jinhee J. Lee

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/88)
Paper No(s)/Mail Date 0906
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "display contents into one" in line10. This is confusing. Clarify, into one region?

Claim 9, use of the term "LSI" renders this claim indefinite, since this is an acronym without an explanation of what it is acronym for. Correct.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-10, 12-13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re claims 1-10, 12-13, claims 1-10, 12-13 fails to fall within a statutory category of invention. They are directed to a program itself, not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and

realize its functionality. They are also clearly not directed to a composition of matter.

Therefore, they are non-statutory under 32 USC 101.

Claims 1-10 refers to a display device and does not clearly state that this is a physical device and not a virtual screen.

Claim 12 refers to program itself.

Claim 13 refers to an LSI comprising programs, so it is unclear whether the LSI is a physical device.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6, 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikeda (7082571).

Re claim 1, Ikeda discloses a guidance display device for guiding a user's operation, said guidance display device comprising:

a guidance content holding unit (map information data receiving unit 24 or 21 for example) operable to hold, in advance (predetermined map is displayed on the screen,

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see abstract for example), guidance display contents respectively corresponding to display regions which are included in one screen and are to be operated by the user;

a guidance synthesis unit (route specifying unit 25 for example) operable to obtain, from said guidance content holding unit, the guidance display contents respectively corresponding to the display regions, and to synthesize the obtained guidance display contents into one; and

a guidance display unit (map displaying unit 27 for example) operable to display, on the screen, the guidance display contents synthesized by said guidance synthesis unit (see figure 7 for example).

Re claim 2, Ikeda discloses a guidance display device, further comprising a determination unit (a route is specified by...browser 23A, see column operable to determine an obtainment order for obtaining the guidance display contents respectively corresponding to the display regions,

wherein said guidance synthesis unit is operable to sequentially synthesize the guidance display contents obtained in accordance with the obtainment order determined by said determination unit (see column 7 lines 11-12 for example).

Re claim 3, Ikeda discloses a guidance display device, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with an order in which the user operates the respective display regions (can be enlarged along with the movement of the user, see column 7 line 40-43 for example).

Re claim 4, Ikeda discloses a guidance display device, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with a focus position of one of the display regions on the screen (see column 7 lines 37-42 for example).

Re claim 5, Ikeda discloses a guidance display device, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with an order in which events are transmitted to a GUI component (see column 7 lines 30-42 using map information detection unit 28 for example).

Re claim 6, Ikeda discloses a guidance display device, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with an arrangement relation of the display regions (column 7 lines 37-42 and lines 22-28 for example).

Re claim 10, Ikeda discloses a guidance display device, further comprising a guidance display position management unit (display control unit 26 for example) operable to manage a use state and a display position of each of the guidance display contents, the use state indicating that each guidance display content is to be displayed or not to be displayed,

wherein said guidance display unit is operable to display the guidance display contents in accordance with the use state and the display position managed by said guidance display position management unit (enlarging and moving out of area for example).

Re claim 11, Ikeda discloses a guidance display method for guiding a user's operation, said guidance display method comprising:

a guidance content holding step of causing a memory to hold, in advance, guidance display contents respectively corresponding to display regions which are included in one screen and are to be operated by the user (see 24, 21, abstract for example);

a guidance synthesis step of obtaining, from the memory, the guidance display contents respectively corresponding to the display regions and of synthesizing the obtained guidance display contents into one (see 25 for example); and

a guidance display step of displaying, on the screen, the guidance display contents synthesized in said guidance synthesis step (see 27 for example).

Re claim 12, Ikeda discloses a program for causing a computer to execute steps included in the guidance display method according to claim 11 (see column 6 lines 17-20 for example).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda in view of Burgess (6741790).

Re claim 7, Ikeda substantially discloses a guidance display device as set forth in claim 6 above. Ikeda does not explicitly disclose wherein the arrangement relation of the display regions has a hierarchical window structure. However, Burgess teaches of wherein the arrangement relation of the display regions has a hierarchical window structure (see figure 8). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have wherein the arrangement relation of the display regions has a hierarchical window structure of Burgess on device of Ikeda in order to provide more options.

Re claim 9, Ikeda substantially discloses a guidance display device as set forth in claim 1 above. Ikeda does not explicitly disclose a region independent guidance content holding unit operable to hold region independent guidance contents that do not correspond respectively to the display regions, wherein said guidance synthesis unit is operable to synthesize the guidance display contents obtained from said guidance content holding unit and the region independent guidance contents obtained from said region independent guidance content holding unit. However, Burgess teaches of a

region independent guidance content holding unit operable to hold region independent guidance contents that do not correspond respectively to the display regions, wherein said guidance synthesis unit is operable to synthesize the guidance display contents obtained from said guidance content holding unit and the region independent guidance contents obtained from said region independent guidance content holding unit (video, 42 for example see figure 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a region independent guidance content holding unit operable to hold region independent guidance contents that do not correspond respectively to the display regions, wherein said guidance synthesis unit is operable to synthesize the guidance display contents obtained from said guidance content holding unit and the region independent guidance contents obtained from said region independent guidance content holding unit of Burgess on device of Ikeda in order to provide more options.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda.

Re claim 8, Ikeda substantially discloses a guidance display device as set forth in claim 6 above. Ikeda does not explicitly disclose an arrangement relation management unit operable to manage the arrangement relation of the display regions, and to make a request of said guidance synthesis unit to start the synthesizing of the guidance display contents in the case where the arrangement relation is changed, wherein said guidance synthesis unit is operable to obtain, from said guidance content holding unit, guidance display contents respectively corresponding to the display regions having the changed arrangement relation, in the case of receiving the request

from said arrangement relation management unit, and to synthesize the obtained guidance display contents. It would have been an obvious for the device of Ikeda to have an arrangement relation management unit, since such a device would be required to change to a new location as destination, this would cause the device of Ikeda to manage the arrangement relation of the display regions, and to make a request of said guidance synthesis unit to start the synthesizing of the guidance display contents in the case where the arrangement relation is changed, and wherein said guidance synthesis unit is operable to obtain, from said guidance content holding unit, guidance display contents respectively corresponding to the display regions having the changed arrangement relation, in the case of receiving the request from said arrangement relation management unit, and to synthesize the obtained guidance display contents as is disclosed. This limitation involves the mere application of a known technique necessary for the device of Ikeda to be usable by an end user (i.e. change location). Where a claimed improvement on a device or apparatus is no more than "the simple substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement," the claim is unpatentable under 35 U.S.C. 103(a). Ex Parte Smith, 83 USPQ.2d 1509, 1518-19 (BPAI, 2007) (KSR v. Teleflex, 127 S.Ct. 1727, 1740, 82 USPQ2d 1385, 1396 (2007)). Accordingly Applicant claims a combination that only unites old elements with no change in the respective functions of those old elements, and the combination of those elements yields predictable results; absent evidence that the modifications necessary to effect the combination of elements is uniquely challenging or difficult for one of ordinary skill in the

art, the claim is unpatentable as obvious under 35 U.S.C. 103(a). Ex Parte Smith, 83 USPQ.2d at 1518-19 (BPAI, 2007) (KSR, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

11. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda in view of Endo (5889493).

Re claim 13, Ikeda substantially discloses a guidance display device comprising, in an integrated manner, the following:

a guidance content holding unit (24 for example) operable to hold, in advance, guidance display contents respectively corresponding to display regions which are included in one screen and are to be operated by the user;

a guidance synthesis unit (25 for example) operable to obtain, from the guidance content holding unit, the guidance display contents respectively corresponding to the display regions, and to synthesize the obtained guidance display contents into one; and

a guidance display unit (27 for example) operable to display, on the screen, the guidance display contents synthesized by said guidance synthesis unit.

Ikeda does not explicitly disclose an LSI. However, Endo teaches of wherein the GPS receiver consists of LSI (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have LSI of Endo on device of Ikeda in order to provide LSI screen.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M- F at 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-2100 ext. 74. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jinhee J Lee/
Primary Examiner, Art Unit 2174